IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 10659 of 2004

Between:
M.A. Ghani S/o. ;Ameer Ali,
ERO, APNPDC Ltd., Huzurabad, Karimnagar Dist.

..... PETITIONER

AND

1 Northern Power Distribution Company of A.P. Ltd., rep. by its Chairman & M.D., Warangal.
2 Superintending Engineer, Operation, APNPDCL, A.P. Transco, Karimnagar.
3 ERO, APNPDCL, A.P Transco, Huzurabad, Karimnagar Dist.
4 ERO, APNPDCL, AP Transoci, Jagtial, Karimnagar Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction preferably in the nature of Writ of Mandamus declaring the action of the 2nd respondent in Memo no. SE.OP.KNR.ESTT.D.NO. 510 of 2004 dt. 19.06.2004 transferring the petitioner from ERO, Huzurabad to ERO, Jagtial without considering the guidelines issued by the 1st respondent in Memo No. CGM(HRD)/GM(S)/AS(I)244-PO-I/04 dt. 24.05.2004 as arbitrary, illegal and violative of Article 14 of the Constitution of India in respect of the petitioner and set aside the same.

For the Petitioner: MR.K.JAYA KUMAR, Advocate

For the Respondents: MR.S.RAVINDRANATH, S.C. for AP Transco.

The Court Made the Following :

HONOURABLE SRI JUSTICE K.C.BHANU

W.P.No.10659 of 2004

ORAL ORDER:

This writ petition is filed questioning the action of the 2nd respondent in Memo No.SE.OP.KNR.ESTT.D.No.510/2004, dated 19.6.2004 transferring the petitioner from E.R.O, Huzurabad to E.R.O, Jagtial without considering the guidelines issued by the 1st respondent in Memo No.CGM(HRD)/GM(S)/AS(I)/244-PO-I/04, dated 24.5.2004 as illegal and arbitrary.

The case of the petitioner is that he requested the 2nd respondent-authority to transfer him to the office of the Divisional Engineer, Electrical, Operation, Karimnagar as he has completed three years of service as U.D.C, at E.R.O., Huzurabad, but the petitioner has been transferred to ERO, Jagtial vide impugned proceedings, dated 19.6.2004.

The learned counsel for the petitioner contended that in spite of the petitioner requesting the 2nd respondent for his transfer to a place nearer to Karimnagar, his request has not been considered.

As seen from the request made by the petitioner, he opted for Karimnagar. He has not mentioned the places of other two options. In the absence of any *mala fides* on the

part of the respondents, the impugned transfer orders cannot be set aside. Moreover, the Proceedings, dated 24.5.2004 have been issued by the 1st respondent only on administrative grounds in the sense that the persons who have completed three years of service are given orders of transfer. Unless it is shown that the transfer is made by way of punishment, generally this Court will not interfere with the transfer orders made on administrative grounds. As the petitioner has completed three years of services at the present station, he has been transferred to Jagtial. Therefore, the impugned order dated 19.6.2004, does not suffer from any legal infirmities so as to call for interference by this Court.

For the foregoing reasons, the writ petition is dismissed at the stage of admission. In the circumstances of the case, there shall be no order as to costs.

ASSISTANT REGISTRAR

/TRUE COPY/

SECTION
OFFICER

25th June, 2004

bcj/mvb

To

1 The Chairman and M.D.,Northern Power Distribution Company of A.P. Ltd., Warangal.

2 Superintending Engineer, Operation, APNPDCL, A.P. Transco, Karimnagar.
3 ERO, APNPDCL, A.P Transco, Huzurabad, Karimnagar Dist.
4 ERO, APNPDCL, AP Transoci, Jagtial, Karimnagar Dist.
5. Two C.D. copies